

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GLENFORD BUDD,
Petitioner,
v.
RENEE BAKER, et al.,
Respondents.

Case No. 2:16-cv-00613-RFB-BNW

ORDER

Petitioner has filed a motion for leave of court to file second amended petition (ECF No. 41). Good cause appearing;

IT THEREFORE IS ORDERED that petitioner's motion for leave of court to file second amended petition (ECF No. 41) is **GRANTED**. Petitioner will have through September 3, 2019, to file and serve a second amended petition.

IT FURTHER IS ORDERED that respondents will have forty-five (45) days from the date of service of the second amended petition to answer or otherwise respond to the second amended petition. Respondents must raise all potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and procedural default. The court will not entertain successive motions to dismiss.

IT FURTHER IS ORDERED that if respondents file and serve an answer, then they must comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts, and then petitioner will have forty-five (45) days from the date on which the answer is served to file a reply.

1 IT FURTHER IS ORDERED that if respondents file and serve a motion, then petitioner
2 will have twenty-eight (28) days from the date of service of the motion to file a response to the
3 motion. Respondents then will have fourteen (14) days from the date of service of the response to
4 file a reply.

5 DATED: July 3, 2019.

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7 RICHARD F. BOULWARE, II
8 United States District Judge

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